

FORM PTO-1618A  
Expires 06/30/99  
OMB 0651-0027

02-28-2000

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK



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OPR/FINANCE

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)  
Document ID #
- ☐ Correction of PTO Error  
Reel #  Frame #
- ☐ Corrective Document  
Reel #  Frame #

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment
- ☐ Merger
- ☐ Change of Name
- ☒ Other

Effective Date  
Month Day Year  
1 31 00

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year  
1 31 00

Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ Corporation ☐ Association
- ☒ Other
- ☐ Citizenship/State of Incorporation/Organization

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

- ☐ Individual ☐ General Partnership ☐ Limited Partnership
- ☒ Corporation ☐ Association
- ☐ Other

☒ Citizenship/State of Incorporation/Organization

Zip Code

Document to be recorded is an assignment and the receiving party is domiciled in the United States, an assignment of a domestic enterprise should be attached

(Designation must be a separate document from Assignment.)

FOR OFFICE USE ONLY

02/25/2000 DNGUYEN 00000193 1976356

01 FC:481  
02 FC:482

40.00 DP  
375.00 DP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK

REEL: 002026 FRAME: 0951

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name	
Address (line 1)	
Address (line 2)	
Address (line 3)	
Address (line 4)	

**Correspondent Name and Address**

Area Code and Telephone Number

(404) 815-2215

Name	Gretchen E. von Dwingelo, Esq.
Address (line 1)	Paul, Hastings, Janofsky & Walker, LLP
Address (line 2)	600 Peachtree Street, N.E.
Address (line 3)	Suite 2400
Address (line 4)	Atlanta, Georgia 30308-2222

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# 4

**Trademark Application Number(s) or Registration Number(s)**

☒ Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

			1976356	1076686	852938
			1863793	972070	2103493
			1871709	972069	1210903

**Number of Properties**

Enter the total number of properties involved.

# 15

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 415.00

Method of Payment:

Enclosed ☒

Deposit Account ☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 16-0752

Authorization to charge additional fees:

Yes

☒

No

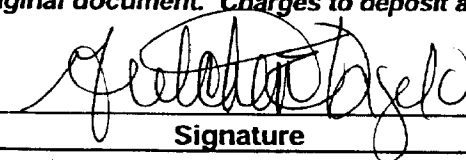
☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Gretchen E. von Dwingelo, Esq.

Name of Person Signing



Signature

2/3/00

Date Signed

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

Conveying Party

Enter Additional Conveying Party

☐ Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ Corporation ☐ Association

☐ Other

☐ Citizenship State of Incorporation/Organization

Receiving Party

Enter Additional Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

☐ Individual ☐ General Partnership ☐ Limited Partnership

☐ Corporation ☐ Association

☐ Other

☐ Citizenship/State of Incorporation/Organization

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached (Designation must be a separate document from the Assignment.)

Trademark Application Number(s) or Registration Number(s)

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

☐ Mark if additional numbers attached

Trademark Application Number(s)

Registration Number(s)


1874378		
1878995		
1405943		
1888091		
2173871		
1188757		

**Schedule A****U.S. Trademarks of Maxim Retail Stores, Inc.****Registered Trademarks**

<b>MARK</b>	<b>Registration No.</b>	<b>Registration Date</b>
SMARTCHOICE ASSURANCE	1,976,356	5/28/96
CERTIFIED HEALTH CARE CARPETS and Design	1,863,793	11/22/94
SMARTCHOICE	1,871,709	1/3/95
C USA (stylized)	1,076,686	11/1/97
CARPETLAND USA	972,070	10/30/73
CARPETLAND	972,069	10/30/73
CARPETLAND USA (stylized)	852,938	7/16/68
NEW YORK CARPET WORLD and Design	2,103,493	10/7/97
NEW YORK CARPET WORLD	1,210,903	9/28/92
REEDY (stylized)	1,874,378	1/17/95
REEDY CARPET & TILE	1,878,995	2/14/95
FOOTPRINT FIGHTERS	1,405,943	8/19/86
VINTAGE CARPETS	1,888,091	4/4/95
CARPETSMART	2,173,871	7/14/98
WALTER	1,188,757	2/2/82

# TRADEMARK RELEASE OF SECURITY INTEREST


As of the date hereof, the undersigned Bank of America, N.A., successor in interest to NationsBank, N.A. (the "**Secured Party**"), has not assigned or otherwise disposed of any interest in the Collateral described in the Security Agreement recorded with the United States Patent and Trademark Office on December 2, 1998 at Reel 1824, Frame 0458 (the "**Agreement**") with respect to the registered trademarks of Maxim Retail Stores, Inc. (the "**Debtor**") listed in the attached Schedule A.

The Secured Party hereby releases for the benefit of the Debtor any and all security interests and all other interests in the Collateral granted in the Agreement.

Dated as of the 31<sup>st</sup> day of January, 2000.

Secured Party:

BANK OF AMERICA, N.A.

By:   
Name: DAVID H. DINKINS  
Title: Vice President

# TRADEMARK RELEASE OF SECURITY INTEREST

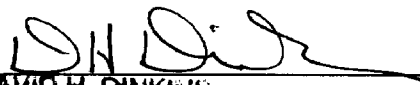
As of the date hereof, the undersigned Bank of America, N.A., successor in interest to NationsBank, N.A. (the "**Secured Party**"), has not assigned or otherwise disposed of any interest in the Collateral described in the Security Agreement recorded with the United States Patent and Trademark Office on December 7, 1998 at Reel 1824, Frame 0517 (the "**Agreement**") with respect to the registered trademarks of Maxim Retail Stores, Inc. (the "**Debtor**") listed in the attached Schedule A.

The Secured Party hereby releases for the benefit of the Debtor any and all security interests and all other interests in the Collateral granted in the Agreement.

Dated as of the 3<sup>rd</sup> day of January, 2000.

Secured Party:

BANK OF AMERICA, N.A.

By:   
Name: DAVID H. DINKINS  
Title: Vice President

# Schedule A

## U.S. Trademarks of Maxim Retail Stores, Inc.

### Registered Trademarks

Mark	Registration No.	Registration Date
SMARTCHOICE ASSURANCE	1,976,356	5/28/96
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SMARTCHOICE	1,871,709	1/3/95
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